



CLERK, U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS

**ENTERED**

THE DATE OF ENTRY IS ON  
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed March 28, 2025

  
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION**

**IN RE:**

**DAVID VELASQUEZ REALTY LLC**

**Debtor.**

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**CASE NO. 24-20329-RLJ-7**

**ORDER APPROVING PUBLIC SALE OF THE ESTATE'S PROPERTY  
FREE AND CLEAR OF ALL LIENS AND INTERESTS**

Kent Ries, Trustee of the referenced Chapter 7 bankruptcy estate, has filed a Motion for Authority to Sell Property of the Estate by Public Sale Free and Clear of All Liens and Interests ("Motion"). In his Motion, Trustee seeks authority to publicly sell sixteen pieces of real property described as follows:

a. Lots No. 2 and 3, Block 6, Pleasant Valley Unit No. 1, an Addition to the City of Amarillo, Potter County, Texas, according to the map or plat recorded in Volume 151, Page 92, of the Deed Records of Potter County, Texas (the "Hilltop Property"), a/k/a 4210 Hilltop Dr, Amarillo, Texas 79108;

b. Lot 24, Block 7, Avonbell Addition, an Addition to the City of Amarillo, Potter County, Texas, according to the map or plat thereof, recorded in Volume 500, Page

133, of the Deed Records of Potter County, Texas (the “Karen Property”), a/k/a 1921 Karen St., Amarillo, Texas 79106;

c. The South 55 feet of Lot 1, Block 6, of Cameron Place, an addition to the City of Amarillo, Randall County, Texas, according to the map or plat thereof recorded in Volume 105, Page 562 of the Deed Records of Randall County, Texas (the “Cline Property”), a/k/a 3621 Cline Rd, Amarillo, Texas 79110;

d. Lot 26, Block 21 of Westgate Addition Unit No. 3, an addition to the City of Amarillo in Potter County, Texas, according to the map or plat thereof, recorded in Volume 695, Page 299 of the Deed Records of Potter County, Texas (the “Bell Property”), a/k/a 1313 Bell St., Amarillo, Texas 79106;

e. Lot 10, Block 17, Westhaven Park Unit No. 3, an Addition to the City of Amarillo, Randall County, Texas, according to the map or plat thereof, recorded in Volume 140, Page 597, of the Deed Records of Randall County, Texas (the “Curtis Property”), a/k/a 3007 Curtis Dr., Amarillo, Texas 79109;

f. Lot 21, Block 16, of the Amended Plat of Wolflin Place, an addition to the City of Amarillo, Potter County, Texas, according to the map or plat thereof, recorded in Volume 134, Page 21 of the Deed Records of Potter County, Texas (the “Lipscomb Property”), a/k/a 2027 S. Lipscomb St., Amarillo, Texas 79109;

g. The South 30 feet of Lot 3, and the North 20 feet of Lot 4, Block 4 of the Sawvell Subdivision of Block 240, Plemons Addition, an Addition to the City of Amarillo in Potter County, Texas, according to the map or plat thereof, recorded in Volume 11, Page 101 of the Deed Records of Potter County, Texas; and  
The South 5 feet of the North 30 feet of Lot 3, Block 4, of the Sawvell Subdivision of Block 240 of the Plemons Addition, an Addition to the City of Amarillo, Potter County, Texas, according to the map or plat thereof, recorded in Volume 11, Page\_101 of the Deed Records of Potter County, Texas (the “Harrison Property”), a/k/a 1904 S. Harrison, Amarillo, Texas 79109;

h. Lot No. Thirty-Four (34), Block No. Forty-File (45) of Ridgecrest Unit No. Twelve (12), an Addition to the City of Amarillo, Randall County, Texas, according to the recorded map or plat thereof, of record in Volume 298, Page 173, of the Deed Records of Randall County, Texas (the “Harmony Property”), a/k/a 3709 Harmony St., Amarillo, Texas 79109;

i. Lot 13, except the Easterly 35.31' as measured at right angles with the common lot line of Lots 13 and 14, and the Easterly 41.11' of Lot 12, as measured at right angles with the common lot line of Lots 12 and 13, in Block 70 of Belmar Unit No. 11, an Addition to the City of Amarillo in Randall County, Texas, according to the map or plat thereof, recorded in Volume 332, Page 667 of the Deed Records of Randall County, Texas (the "Jameson Property"), a/k/a 7205 Jameson Rd., Amarillo, Texas 79106;

j. Tract No. Two (2), in Block No. Three (3), of Dixon Acres, an addition to the City of Amarillo, Potter County, Texas, according to the map or plat thereof, recorded in Volume 151, Page 295 of the Deed Records of Potter County, Texas. (the "Mirror Property"), a/k/a 2002 N Mirror St., Amarillo, Texas 79107;

k. Lot 21, Block 1, Olsen Park Unit No. 55, an addition to the City of Amarillo, Potter County, Texas, according to the map or plat thereof, recorded in Volume 1800, Page 161 of the Official Public Records of Potter County, Texas (the "Western Property"), a/k/a 2700 S. Western St. Suite 200, Amarillo, Texas 79109;

l. Lot No. Nineteen (19), in Block No. Four (4), of Westview Addition Unit No. One (1), an addition to the City of Amarillo, Potter County, Texas, according to the map or plat thereof, recorded in Volume 500, Page 35 of the Deed Records of Potter County, Texas (the "Westlawn Property"), a/k/a 3300 Westlawn Ave., Amarillo, Texas 79102;

m. Lot 1, Block 7 of Brookhollow Unit No. 4, an addition to the City of Amarillo in Randall County, Texas, according to the map or plat thereof, recorded in Volume 605, Page 300 of the Deed Records of Randall County, Texas (the "35<sup>th</sup> Property"), a/k/a 3810 SE 35<sup>th</sup> Ave., Amarillo, Texas 79103;

n. A 0.5487 acre tract of land being a portion of a Lot 25-A, Block 76, Belmar Unit No. 53, an addition to the City of Amarillo, according to the recorded map or plat thereof, of record in Volume 1608, Page 183 of the Deed Records of Potter County, Texas, being the same tract of land described as Tract 1, in that certain Assumption Warranty Deed recorded in Volume 3561, Page 607 of the Official Public Records of Potter County, Texas, in Section 27, Block 9, B.S.& F. Survey, Amarillo, Potter County, Texas, surveyed on the ground by Robert Keys and Associates on this 8th day of December, 2022, and said tract of land being further described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rebar with a cap stamped "GOLLADAY R.P.L.S." found the Northwest corner of this tract of land, and same being the most Northerly Northwest corner of said Lot 25-A, and also being the most Northerly Northeast corner of Lot 26-A,

Block 76, Belmar Unit No. 62, an addition to the City of Amarillo, according to the recorded map or plat thereof, of record in Volume 2523, Page 16 of the Deed Records of Potter County, Texas, and also being on a curve to the left with a radius of 5879.58 feet; THENCE Northeasterly, along said curve and the Southerly right-of-way of Interstate Highway No. 40 West, as described in that certain Right-of-Way Deed recorded in Volume 1033, Page 161 of the Deed Records of Potter County, Texas, and also being the Northerly line of this tract of land, an arc distance of 103.01 feet with a chord of N. 71° 23' 22" E., 103.01 feet to an "X" cut in concrete, found at the most Northerly corner of said Lot 25-A;

THENCE S. 19° 07' 26" E., 103.13 feet along the Easterly line of said Lot 25-A and the Westerly right-of-way line of Hansford Drive as dedicated by Belmar Unit No. 13, an addition to the City of Amarillo, according to the recorded map or plat thereof, of record in Volume 1030, Page 88 of the Deed Records of Potter County, Texas to a 3/8 inch iron rebar with a cap stamped "KEYS R.P.L.S. 2507", found at the beginning of a curve to the right having a radius of 510.84 feet;

THENCE Southeasterly, along said curve and Westerly right-of-way of said Hansford Drive, at an arc distance of 143.08 feet with a chord of S. 11° 10' 04" E., 142.62 feet to an "X" cut in concrete, found at the Southeast corner of this tract of land;

THENCE S. 86° 56' 07" W., 103.02 feet along the North line of a 0.2686 acre tract of land described as Tract 2 in that certain Assumption Warranty Deed recorded in Volume 3561, Page 607 of the Official Public Records of Potter County, Texas, to a 1/2 inch iron rebar with a cap stamped "GOLLADAY R.P.L.S." found at the Southeast corner of this tract of land and being on a curve to the left having a radius of 407.84 feet;

THENCE Northwesterly, along said curve and Easterly line of said Lot 26-A, an arc distance of 114.10 feet with a chord of N. 11° 08' 38" W., 113.72 feet to a 1/2 inch iron rebar with a cap stamped "CEC 10194378", set, at the end of said curve;

THENCE N. 19° 09' 04" W. 104.17 feet along the Easterly line of said Lot 26-A to the POINT OF BEGINNING (the "I-40 Property"), a/k/a 6601 I-40 West, Amarillo, Texas 79106;

o. Lots 8 and 9, Block 10, Golden Acres, a subdivision out of Section 45, Block 2, A. B. & M. Survey, in Potter County, Texas, according to the map or plat thereof, recorded in Volume 695, Page 617 of the Deed Records of Potter County, Texas (the "Cowden Property"), a/k/a 0 Cowden St., Amarillo, Texas 79108;

p. Lots 9 and 10, Block 90 of Plemons Addition, an Addition to the City of Amarillo, Potter County, Texas, according to the map or plat thereof, recorded in Volume 59, Page 198, of the Deed Records of Potter County, Texas (the "7<sup>th</sup> Property"), a/k/a 321 SW 7<sup>th</sup> Ave., Amarillo, Texas 79101;

Collectively the “Rental Properties”.

The Court is informed that no party in interest has filed its resistance to the Motion of the Trustee. The Court finds jurisdiction over the subject matter of the Motion, that notice of the sale has been adequate under the circumstances and, after having reviewed said Motion and the terms of the sale proposed therein, finds the relief sought by the Trustee is in order and should be approved. It is therefore

**ORDERED, ADJUDGED AND DECREED**, that the Motion is granted and that the Trustee is authorized to publicly sell by auction the real property described above on the terms and conditions more particularly described in the Trustee’s Motion; It is further

**ORDERED, ADJUDGED AND DECREED**, that all valid liens, if any, shall follow and attach to the proceeds of sale in order of priority as established under applicable state and federal law, and that the Trustee is authorized to pay such liens, including those described in the Motion, from the proceeds of the sale; It is further

**ORDERED, ADJUDGED AND DECREED**, that all mortgage lienholders may, but are not required to, bid at the sale by credit bid, to the extent of their lien amount. Mortgage lienholders who are the high bidder at such sale will not be obligated for any auctioneer fees or broker commissions but shall take the property subject to any superior liens arising from ad valorem taxes notwithstanding the prior paragraph of this Order; It is further

**ORDERED, ADJUDGED AND DECREED**, that notwithstanding anything in this Order, the secured taxes for the 2024 tax year of Potter and Randall Counties shall be paid in full at closing, together with applicable statutory interest. The Purchaser(s) shall assume full responsibility for the 2025 taxes and shall pay the 2025 taxes in full when due. If not paid timely, Potter and Randall Counties may proceed with non-bankruptcy collections against the

Purchaser(s) and the property, without leave or approval of the Court. The pre-petition and post-petition liens of Potter and Randall Counties shall remain attached to the taxable property until the tax claims are paid in full. All parties' rights to object to the priority, validity, amount and extent of the claims of Potter and Randall Counties are fully preserved; It is further

**ORDERED, ADJUDGED AND DECREED**, that the sale as authorized herein shall be without warranty, whether express or implied, and on an as is, where is, with all present defects' basis; It is further

**ORDERED, ADJUDGED AND DECREED**, that the Trustee is authorized to pay all reasonable and customary closing costs from the proceeds of the sale; It is further

**ORDERED, ADJUDGED AND DECREED**, that the Trustee be and the same is hereby authorized to execute all documents and instruments necessary to carry out the purposes and intent of this Order; and It is further

**ORDERED, ADJUDGED AND DECREED**, that the fourteen-day stay requirement pursuant to F.R.B.P. 6004(h) is waived.

### End of Order ###

Prepared By:

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COUNSEL FOR TRUSTEE